THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20074 OF 2005

DATED:13.9.2005

Between:

Jallipalli Rama Rao and others

…Petitioners

And

The Government of A.P. (Revenue)

Rep. by its Assistant Secretary to Government

Secretariat, Hyderabad and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.2074 OF 2005

ORDER:

The three petitioners claim to be owners of land admeasuring Ac.9.11 gts. in S.No.51/2 and 52/2 of Aswaraopet Village in Khammam District. In 1987 first respondent acquired an extent of Ac.0.11 gts. in S.No.52/2 and Ac.0.15 gts. in S.No.51/2 for public purpose, namely, laying road. According to the petitioners, the compensation was paid to respondents 5 and 6 who played fraud on the official respondents. The petitioners claim that having come to know that they approached third respondent by making representation on 6.4.2005. Third respondent by impugned Memo dt.4.8.2005 advised the petitioners to approach the Civil Court.

Petitioners were also informed that the land was already acquired, compensation was paid to fifth respondent and that after seventeen years of acquisition, the respondents cannot take any action.

Learned counsel for the petitioners submits that when the notification under Section 4(1) of the Land Acquisition Act, 1894 (for short, the Act) was published, name of father of the petitioners along with sixth respondent was shown. However, compensation was not paid due to fraud played by respondents 5 and 6. Even if there is any substance in the submission made by the learned counsel for the petitioners respondent No.3 could not have decided the same especially when the Land Acquisition Officer after passing awarding and paying compensation has no power to review his/her award passed under Section 11 of the Act.

The Writ Petition is misconceived and is accordingly dismissed.

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(V.V.S.RAO, J)

13.9.2005

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